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TOWARD DESPOTISM

By WILLIS J. BALLINGER

IN ITS CAMPAIGN to eradicate the indomitable Senator McCarthy the Eisenhower Administration has apparently embarked on a series of moves which would take the nation a long way toward dictatorial government. Back of these tactics are reportedly left wing groups which have penetrated the Republican Party (indeed, are believed to be the decisive power in the White House) who see in the campaign against the Wisconsin Senator an opportunity to enhance greatly Executive power and hasten the establishment of a socialist State in America.

The Administration seeks to: (1) Continue the Truman "gag ordinance," restraining the tongues of Executive employees who may appear before congressional committees, and enlarging upon it to the point of prohibiting employees to appear at all. (2) Prevent such informants from bringing to the attention of Congress questionable acts or practices in the Executive Branch. The inference to be drawn from Attorney General Brownell's recent statement on the subject is that it should be made a criminal act for anyone to inform on the Executive to Congress. (3) As a complete stopper, to so revise the rules of congressional committees that, ostensibly to protect witnesses, these groups will be unable to make any effective investigation of the Executive.

The nature of these proposals can be grasped only when related to the relentless drive toward autocratic government under the New and Fair Deal Administrations. Autocratic government is nothing but the supremacy of the Executive over the legislative and the judiciary bodies. The process of converting the government of a free society into a despotism always begins with the progressive concentration of power (chiefly economic) in the Executive. The Executive is empowered to dispense gifts from the treasury to the citizenry who thus become inured to the enhancement of its prerogatives and privileges. As government spending mounts, the Executive acquires an ever greater control over the economic life of the nation. And when the people, including businessmen, are in effect reduced to employees of the Executive, when the legislature and the courts under the impact of the swollen powers of the Executive are also reduced to servility, freedom disappears.

Thus, through the centuries free peoples have carelessly sold themselves into slavery. The delusion that an increasingly powerful government makes for increasing economic betterment serves as a soporific and, under its spell, the free society is transformed into a despotism peacefully and within the framework of democratic government; the democratic process is used to liquidate democracy.

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THE MEN who drafted the American Constitution knew well that the danger to any free government is the Executive — that the secret of tyranny is simply an expansion of Executive power. To guard against this historical Achilles heel they restrained Congress from conferring excessive power upon the Executive and they limited the powers of the President so that he could not dominate Congress. Up to 1932 the Constitution kept the Presidency within bounds, and it posed no threat to freedom in America. But in less than twenty years under the New Deal, Communists, socialists and their dupes transformed the Presidency into the greatest economic colossus in history — the world's biggest employer, banker, real estate owner and landlord, mortgage holder, insurance institution, and the dispenser of a fantastic handout budget designed to undermine the self-reliance of the people and make them eager for more paternalism.

When the New Deal went out of power in '52 it had substituted for a Federal government with strictly limited powers, one virtually without brakes in its power to invade the domain of private business, to tax and spend, to shower gifts upon its supporters. As the Executive grew, the Congress and the courts manifested a tendency to goose-step to its will. The Constitution had been thoroughly mutilated or bypassed and the American people embraced the doctrine of prosperity through government spending — a doctrine that through the ages has opened the road to despotism.

The Eisenhower Administration shows no serious signs of attempting to reduce the already dangerously swollen powers of the Presidency. On the contrary, it is bidding directly for more Executive power — extending the unsound and fraudulent social security system, furnishing at public expense life insurance policies to the hordes on the public payroll, using public money to extend health benefits of private insurance companies, more appropriation for public housing, and so on.

Now the moves of the Administration to squelch Senator McCarthy foreshadows a truly deadly enhancement of Executive power — and a final elimination of the Constitutional barriers to tyranny in the United States.

THE TRUMAN "GAG" ordinance was from its origin unconstitutional (from now on we are simply retailing the opinions of eminent constitutional lawyers whom we have consulted). It was obviously promulgated by Truman to guard his Administration against the exposure of accumulated scandals. It was immediately assailed by the professional journalist's fraternity — Sigma Delta Chi — as "duplicating the practices of totalitarian States which as one of their first steps seized control of the channels of communication and information to the people whom they later enslaved." During 144 years of the Republic — including even the regime of FDR — no one ever thought of denying the right of Congress to question employees of the Executive. In the 1952 campaign the Republicans justly flayed the Truman "gag" ordinance as a long step towards totalitarianism.

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Attorney General Brownell's charge that McCarthy was upsetting the balance of power between the Executive and Congress, that he was in fact usurping Executive power in receiving data from informants about ignored FBI reports, is constitutionally false. The Administration apparently rests its case for confirming the Truman "gag" ordinance on the premise that under the "separation of powers" theory, the Executive is entirely independent of Congress and that Congress has no right to find out how it is enforcing the laws of the land. The fact is that the Constitution makes both the Executive and the Judiciary dependent *to a large degree upon the will of Congress* and *implicitly and explicitly requires Congress to search out any wrongdoing in either the Executive or the Judiciary.*

The Constitution makes mention of only a President, Vice-President and a Supreme Court. The Senate shares in both the appointing and treaty power of the President. But the interesting fact is that any growth in the Executive or the courts could be achieved only in the soil of congressional appropriation, definement of duties and imposed restrictions. Nearly all Executive and Judicial offices are created by Congress, which also has the power not only to abolish those offices at any time, but also to fix the compensation of every Federal employee including that of the President. Though the Constitution gives the Supreme Court appellate jurisdiction both as to law and fact, it adds "with such exceptions and under such regulations as the Congress shall provide." The inescapable fact is that under the Constitution both the Executive and the courts are largely dependent on Congress, and out of this dependence is *implicit* the Constitutional right of Congress through investigative Committees *to ferret out wrongdoing by either the Executive or the courts.*

How could Congress intelligently or wisely exercise its power to terminate old agencies of the Executive or establish new ones except through adequate investigation and inquiry? Should Congress give money to an Executive Department that is not enforcing the law, or is corrupt or is inefficiently wasting the taxpayer's sustenance? How can Congress possibly properly discharge its power of the purse without knowing what is going on in the Executive? *Implicit* in any intelligent exercise of the powers of Congress under the Constitution is the right and duty of Congress, through investigating committees, to know how the Executive and the courts are behaving. The framers of the Constitution never intended that the Executive or the courts should be *the judge of their own probity or efficiency.*

On the other hand, in giving to Congress the exclusive power of impeachment (power to remove from office the President or any subordinate and all judges) the Constitutional fathers *explicitly* recognized the right and duty of Congress to continually search the executive and the courts for wrongdoing.

But, what about persons in the Executive who inform on the Executive to members of Congress (Brownell's anguish). For 161 years of the Republic (including even the

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regime of Harry Truman), no one tried to stop such informants. Any member of Congress has the right to know about dereliction of duty on the part of the Executive, and the fact that the information transgresses a "confidential" or "top secret" imprint on a document does not abrogate that right.

SHALL THE EXECUTIVE by the simple stamping of a paper prevent Congress from carrying out its Constitutional function of keeping an eye on the Executive? Can the Executive thus protect itself from exposure of malfeasance or misfeasance? Where in the Constitution is it stipulated that Congress shall be deprived of its right of surveillance of the means taken to enforce the laws it passes?

Senator McCarthy is Chairman of a Senate committee expressly set up by the Senate to perform its Constitutional duty of watching the Executive Branch. Therefore, anyone who gives him information that may help him in this job is not giving it to an unauthorized person. He is giving it to an *authorized person*; he is *not* interfering with the enforcement of the law by the Executive but merely reporting to an authorized member of Congress the failure of such enforcement.

Finally, Senator Prescott Bush (the Connecticut internationalist who voted to turn American soldiers over to foreign courts, and who voted against the proposed amendment to prevent a treaty from scuttling the Constitution) proposes a bill to revise the rules of congressional hearings, ostensibly to protect witnesses. Powerful left-wingers of the Democratic Party immediately rushed forward. The game is obvious — to get Congress to abdicate its Constitutional duty of exploring the Executive activities by ham-stringing its investigative committees. The truth is that there has been *no abuse of witness by congressional committees.* The collectivists merely want to prevent Congress from uncovering their sinister purposes.

A distinguished constitutional lawyer, William Chamberlain, writing in the *Financial and Commercial Chronicle,* March 25, 1954, with long experience in the examination and cross-examination of witnesses, and who has made a special study of congressional investigative committees, concludes that the charge that witnesses before congressional committees have been abused is untrue.

The Nation has already paid through the nose for Executive secrecy in foreign affairs, for it was by such practices that the Japs were provoked into attacking Pearl Harbor, that at Yalta, Quebec, and Potsdam, we sold nationalist China down the river to the Reds, betrayed Poland and Yugoslavia, and made inevitable the war in Korea. If now the present Republican Administration — supposedly in office to correct the pro-Red acts of Roosevelt and Truman — can succeed in completely enveloping the American Presidency in secrecy, the days of the Republic are assuredly numbered.

WILLIS BALLINGER, noted economist, is author of *By Vote of The People* (Charles Scribner, 1946).

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HUMAN EVENTS

FRANK C. HANIGHEN, *Editor* FRANK CHODOROV, *Associate Editor*

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The Climax: Senator McCarthy addressed the 100th anniversary celebration of the Republican Party at Ripon, Wis., (in Washington, they are now calling him "Mr. Republican") with a speech in which he said the Army-McCarthy hearings show that Democrats — Senator Symington and Clark Clifford, former aide to Truman — were ripping the Republican Party apart in the dispute over Cohn and Schine. There's more truth than poetry in that — is the remark of many observers here in Washington, following the astonishing revelations contained in Senator Symington's monitored conversations with the ineffable Secretary Stevens.

The Capital is buzzing with talk about it, all the more so because this politically sophisticated city knows from old how much weight the tall, intellectual Clifford, as Harry Truman's adviser, carried and still carries in the Democratic Party. The picture of Clifford as an adviser to the naive Secretary Stevens in the latter's dispute with McCarthy is the "cream of the jest," as Washington veterans see it. It goes far to confirm the increasing suspicion that Democrats have been pulling the strings which guide GOP policy — to the dedicated aim of destroying the Republican Party.

As of today, the Capital hears much talk that the astonishing hearings of the past week have insured a verdict for McCarthy, and that the end of the "show" is in sight.

Ike and Joe: Mr. William Randolph Hearst, Jr., chief of the Hearst chain of papers, several weeks ago in his Sunday column deplored the fact that the President had not gotten together with McCarthy and worked out an agreement so as to avoid the widening split between the two wings of the GOP. The Hon. Howard Buffett, former Representative from Nebraska offers us, in a similar vein, the following suggestion:

Why, he asks, does not the President meet with the Wisconsin Senator and try to arrive at some *modus vivendi*, instead of allowing the situation to deteriorate? For, says our friend, one of the prevailing themes of the Roosevelt-Truman-Eisenhower era has been the alleged necessity, in the foreign field, for "meeting face to face," "dealing around the same table" and "engaging in shirt-sleeve diplomacy," and so on. The press continually harps on this tune with advocacy of international conciliation in all parts of the globe. If it's applicable to the problem of world relations, why isn't it indicated for the present gladiatorial intra-party conflict? How can we expect to achieve agreements between nations thousands of miles apart, when two leaders of the same party just a mile distant from each other in our own Capital, fail to get together? If a huddle is the prescription abroad, why isn't, at least, an across-the-White-House-desk meeting in order so as to save the Administration party and the country's stability?

The unfortunate fact is that there has never been such a meeting. The above questions — made in a genuinely constructive spirit — demand answers.

The President has never made such an overture, but McCarthy has. There was no affirmative response from the White House. Why not? The picture of McCarthy as an uncompromising and intransigent figure has no verity — that is a smear product of the forensic battle waged against him by word and cartoon in the "liberal" press. The truth is that, behind the scenes, the Wisconsin Senator has frequently conferred with the White House emissaries and made many concessions. One of these was McCarthy's reluctant consent, several weeks ago, to the Dirksen proposal to limit hearings so

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that the whole affair might be terminated. The Senator has shown himself desirous of avoiding an open break with the President, has hewed to the line of GOP regularity. Why has not the White House reciprocated?

There is a story brought to us by a White House reporter which, if it does not make too much sense, does offer a logical explanation. "They say," that the President was shocked — and naturally — by the 1951 book *America's Retreat from Victory: The Story of George Catlett Marshall,* by Senator Joseph R. McCarthy, (Devin-Adair Company), in which McCarthy dealt savagely with Marshall's record. Eisenhower is faithful to his old chief, who literally made him, lifting Lt. Col. Eisenhower many Army grades to the role of commander of our forces in Europe. The President is naturally grateful and the reaction against McCarthy is said to be intensely personal.

It is kept personal — we learn — by the White House "liberals" and their friends among the columnists and commentators, who prod and remind the President of the matter. It need not be kept so, if leaders of the GOP have the statesmanship to accept this challenge to intra-party diplomacy. A meeting between the President and McCarthy might well smooth out differences and promote some mutual understanding too long delayed. It is high time that GOP chiefs move in this direction, as Mr. Buffett has so well suggested.

Sidelights on the McCarthy Affair: "Liberal" sheets today classify "McCarthyism" as a modern form of the Know Nothing movement of a century ago to persecute foreigners, Catholics and Jews. But the retort is obvious: how could McCarthy be a "Know Nothing" and at the same time risk his cause and career defending two Jewish staff members?

● Observers here frequently remark on the rather abnormal stridency of the drive against the Wisconsin Senator, as if it arose from some psychopathic source. Mr. Frank Brophy writing to the Phoenix (Arizona) *Republic* puts it very well: "The critical observer cannot have failed to note the waves of hatred and hysteria that have been building up over this relatively inconsequential Army-McCarthy affair. In some respects they appear to be reminiscent of the emotional storms that were created in order to sweep the country into World Wars I and II. But there is also a voodoo quality about the current performance that indicates the jungle instinct has been dangerously aroused in recent years and lurks close to the surface beneath the veneer of a smooth sophisticated *Look* or *Time* or *New York Times* propaganda exterior.

"To those who regard this an overstatement, may I suggest that history (if honestly written) will not ignore the inner significance of our unfortunate record of having dropped the first atom bomb on a helpless people, our participation in the bombing of refugees in the non-strategic city of Dresden, our authorship of the Morgenthau Plan to debase a defeated enemy, our part in the Nuremberg Trials which destroyed the last shreds of 'civilized warfare,' and our insistence upon the blind, barbaric ultimatum of Unconditional Surrender. The elemental forces which caused a normally generous and rational nation to behave in such unconscionable fashion may be the same as those which are creating the unstable emotional atmosphere in which much of the anti-McCarthy propaganda now circulates."

● One real reporter, in contrast to anti-McCarthy fanatics in the press, has won recognition for genuine work on the McCarthy affair. According to the *New York Times* (how did they bring themselves to print it?) Charles Johnston of the *Asbury Park Press* received top honors on June 5 in the annual awards of the Working Press of New Jersey. He was cited at the organization's sixth annual convention for the best spot news story of last year. The story dealt with a series of "restricted" talks at Fort Monmouth by Major General Kirke B. Lawton. Johnston quoted Lawton as assailing a number of leading American colleges and universities as places where Communism spreads, and endorsing Senator Joseph R. McCarthy and his methods.

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Lawton was the General at Fort Monmouth who cooperated with McCarthy and then for mysterious reasons was withdrawn by the Department of the Army bureaucrats. One story has it that he was ordered to Walter Reed Hospital for a checkup and then placed on the inactive list, although in apparently good physical condition. McCarthy has announced his intention of calling Lawton to the stand in the present hearings.

Indo-China: Veteran observers here say there is great danger that it is war for us in Indo-China and a White House request to officially start sending American boys into the tropics is expected at any time. It is significant that the big labor bosses on the Joint Manpower Advisory Committee are already making public suggestions on how labor should be mobilized for the Indo-China war.

Young: Behind the alarums and excursions of the epochal stockholder fight to obtain control of the New York Central Railroad, newspaper comment has so far not mentioned (in some case perhaps purposely) the political implications. The Vanderbilt-Morgan interests are known as "internationalist" in their political philosophy and one of the board members, John J. McCloy of the Chase Bank, is also in this category — in view of his long service for the New and Fair Deals here and abroad.

But it is not generally known that Mr. Robert R. Young, of the Chesapeake and Ohio Railway, who challenges the Wall Streeters, is an American nationalist. It should be recalled that Mr. Young was on the board of the America First Committee in 1940-1, the movement to keep America out of the war, led by General Robert E. Wood (of Sears, Roebuck) and Colonel Charles Lindbergh; and it is reported that he was one of the heaviest contributors to the funds of that "isolationist" organization.

This column in 1945 interviewed Mr. Young and he confessed to us his admiration of Senator "Pappy" O'Daniel of Texas, who eloquently voiced the nationalist creed. Has Young changed since those days? Not from what we hear. Young's favorite counselor in Washington is former Senator Burton K. Wheeler, also prominent in America First. Last winter, Young and Wheeler were guests at a dinner in the New York Harvard Club, given by former Congressman Hamilton Fish for Colonel Robert R. McCormick, publisher of the *Chicago Tribune*. One of the guests describes to us Young's privately expressed sentiments: disapproving of the internationalist policy of the present regime, and apparently approving of the "third party" sentiments which prevailed at the gathering.

If Young should win certain control of the great Eastern railway system, his victory would be a challenge to the old internationalist clique which has so long dominated what is vaguely termed "Wall Street."

Chodorov: I regret to inform our readers that with this number our esteemed Associate Editor, Frank Chodorov, leaves HUMAN EVENTS. I am pleased, however (see SO LONG below) that Frank will continue on our masthead as Contributing Editor, giving us one article every other month. The fortnightly *Freeman* will be converted into a monthly, on July 1, and Frank Chodorov will assume duties as Editor of that publication. I extend my heartiest congratulations to the directors of the new, reorganized *Freeman* and best wishes to our retiring Editor, in his new position.

I feel a keen personal loss in Frank's departure. HUMAN EVENTS, of course, will miss his talents. He came to us on our seventh birthday, and leaves it after celebrating our tenth birthday, a bigger and better publication. But I feel difficulty in expressing my gratitude for his wisdom, kindliness and faithful friendliness over the past three years and, recalling his unfailing patience and good humor in daily association, my regret is all the more acute. However, as he says below, it's only "so long." — Frank C. Hanighen.

So Long: Sometimes the right thing to do is the hard thing to do. Like taking castor oil. Or like, for me, leaving HUMAN EVENTS. But, that's what I have to do, because the opportunity to edit a monthly

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publication devoted to the same principles as this beloved weekly was put to me, and I felt I ought to take it. It amounted to a call of duty. So, with heavy heart I take leave of an association that has been pleasant and stimulating. I shall, I know, miss the letters from the highly critical and knowledgeable readers of this paper, many of whom were good enough to drop in to see me when they came to Washington. However, my going is not so final as to signalize "goodby." It is rather a "so long" departure, because Mr. Hanighen assures me that I may speak to you occasionally through my articles. Dear readers, then, you will hear from me. — Frank Chodorov.

Byrd on Taxes: "It means that the state must give up a legitimate and long established source of revenue and yield it to the Federal government.

"It means that the state actually invites the Federal government to invade its territory, to oust its jurisdiction and to establish Federal dominion within the innermost citadel of the reserved rights of the Commonwealth.

"This amendment will do what even the Fourteenth and Fifteenth Amendments did not do — it will extend the Federal power so as to reach the citizen in the ordinary business of life. A hand from Washington will be stretched out and placed upon every man's business; the eye of a Federal inspector will be in every man's counting house.

"The law will of necessity have inquisitorial features, it will provide penalties. It will create a complicated machinery.

"Under it businessmen will be hauled into courts distant from their homes.

"Heavy fines imposed by distant and unfamiliar tribunals will constantly menace the taxpayer.

"An army of Federal inspectors, spies and detectives will descend upon the state. They will compel men of business to show their books and disclose the secrets of their affairs. They will dictate forms of bookkeeping. They will require statements and affidavits. On the one hand the inspector can blackmail the taxpayer and on the other, he can profit by selling his secret to his competitor.

"When the Federal government gets a strangle hold on the individual businessman, state lines will exist nowhere but on the maps. Its agents will everywhere supervise the commercial life of the states . . . I am not willing by any voluntary act to give up revenue which the State of Virginia herself needs, nor to surrender that measure of states' rights which was, and the construction of the Federal courts have permitted to remain."

Thus spoke Richard E. Byrd, Speaker of the Virginia House of Delegates, and father of the present Senator from that state, on March 3, 1910. Virginia did not ratify the Sixteenth Amendment.

Gatt: Oscar R. Strackbein, Chairman of the Nation Wide Committee of Industry, Agriculture and Labor on Import-Export policy has issued a solemn warning about an international organization known as GATT (General Agreement on Tariffs and Trade). This organization meets periodically in Geneva and Strackbein describes it as "an illegitimate organization that has arrogated to itself powers never conferred upon it by Congress" — that it seeks "to take the tariff adjusting powers totally away from congressional influence and to make tariff administration unresponsive to the American people." Thus, GATT is another international agency whose mission is to undermine American sovereignty — its particular mission being to wrest away from Congress control of tariff policies.

Mr. Strackbein also points out that the "protective effect of our tariff is down 75% from its average level of 20 years ago" and that current outcries against our high tariff wall do not hold water. The fact is that the United States is now one of the low tariff countries of the world.

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